

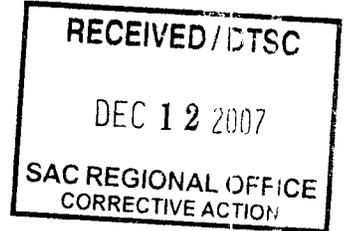


Closed Site Management Group
9081 Tujunga Ave.
Sun Valley, CA 91352
818.252.3202 (direct)
832.668.3044 (fax)

By Email and U.S. Mail

December 11, 2007

Mr. Wade Cornwell
Northern California Permitting and Corrective Action Branch
Hazardous Waste Management Program
Department of Toxic Substances Control
8800 Cal Center Drive, R1-2
Sacramento, CA 95826



Cornwell/2007/12/2007

**Re: Hazardous Waste Facility Post-Closure Permit
Permit No. 05-SAC-10
Status Report; Request for Further Extension of Stay**

Dear Mr. Cornwell:

This is to provide you with an updated status report regarding the efforts of Chemical Waste Management, Inc. (CWM) to evaluate options provided in the above-referenced permit for addressing long-term care at CWM's facility near Bakersfield. As you know, those options include "declassification" under California Code of Regulations, title 22, section 66260.200 (Option 1), "clean closure" under chapter 14 of division 4.5 of title 22 of the California Code of Regulations (Option 2), or complying with the permit's post-closure care provisions (Option 3).

To avoid unnecessarily processing CWM's appeal of the permit while we continue to work with DTSC on these issues, as further discussed below we also are writing to request that DTSC extend the stay on the appeal proceeding until June 30, 2008.

This letter updates our letters to you dated September 13, 2007, November 1, 2007 and November 14, 2007 and follows our meetings of October 18, 2007 and December 6, 2007.

Manifest Review and Waste-In Report

CWM's consultant, Professional Environmental Group (PE Group) has completed its manifest review efforts. A summary of PE Group's work as of November 29, 2007 includes:

Total DTSC records viewed on DVD: 342,764 records
RCRA hazardous wastes identified: None

| | |
|--|---------------|
| Data entry of CWM manifests: | 8,704 records |
| Data entry of M.P. Disposal Co. manifests: | 6,186 records |
| Data verification and normalization: | Continuing |

CWM is on schedule for submitting to DTSC the waste-in report by December 14, 2007. However, the PE Group may not complete their final QA/AC review of the M.P. Disposal manifests because of the number of records requiring review due to illegible information, duplicate entries (from duplicate microfilm images) and omissions in the original records. To the extent necessary, CWM will submit to DTSC a summary addendum before January 31, 2008 describing any changes to the Waste-In Report resulting from PE Group's final QA/QC review.

Geophysical Survey Report

We submitted the draft Geophysical Report to you on November 26, 2007, in advance of our meeting on December 6, 2007. The information provided in this report will assist CWM in future assessments after the waste characterization work is completed.

Waste Characterization Work Plan

At our meeting October 18, 2007, CWM provided DTSC with a draft of a combined Waste and Risk Characterization Work Plan (Work Plan). At our meeting on December 6, 2007, DTSC provided written comments on the Work Plan. CWM and DTSC agreed to the following:

1. CWM will address DTSC's comments on the Work Plan and provide a Final Work Plan, addressing all of DTSC's comments except Comment No. 14, on or before January 31, 2008. CWM and DTSC agreed that this initial effort will focus on collecting samples from the waste areas to develop an understanding of the materials present and that additional characterization may be needed in the future to support a risk-based clean closure or declassification effort. Also, additional randomly spaced samples will be collected outside of the waste areas as noted in DTSC's Comment No. 3.
2. CWM will evaluate the waste assessment information referenced in DTSC's Comment No. 14. CWM proposes to provide DTSC with an analysis of the information on or before February 15, 2008.
3. After DTSC approves the Work Plan, CWM will collect samples within the waste disposal areas generally following the approach outlined in DTSC's written comments. The fieldwork now is envisioned to begin in mid-February 2008 and will take approximately eight weeks to complete. As a result, CWM anticipates submittal of a draft summary report to DTSC by June 30, 2008.
4. Risk assessment work will not begin until the current waste characterization is completed.

5. Any potential work associated with the Geophysical Report submitted on November 26, 2007 will be addressed after the current waste characterization is completed.

DTSC and CWM agreed that it is critical to collect and evaluate the initial data from the waste disposal areas before CWM can select and proceed with any of the permit options. Consequently, implementation of the waste characterization work plan now is the critical path for selecting one of the permit options.

Deliverable Schedule

The following table provides a summary of the schedule we proposed September 13, 2007 and a revised schedule for submitting deliverables to DTSC for review.

| Deliverable | 9/13/07 Schedule | Revised Schedule |
|--|-----------------------------------|---|
| Waste-In Report | December 14, 2007 | December 14, 2007 |
| Addendum to Waste-In Report (if needed) | -- | January 31, 2008 |
| Waste Characterization Work Plan | November 1, 2007 | October 18, 2007 (DTSC comments on December 6, 2007) |
| Human Health/Ecological Risk Assessment Work Plan | November 1, 2007 | October 18, 2007 (DTSC comments on December 6, 2007) |
| Geophysical Survey Report | November 15, 2007 | November 26, 2007 |
| Final Waste Characterization Work Plan | -- | January 31, 2008 |
| Draft Waste Characterization Report | 150 days after Work Plan approval | June 30, 2008 |
| Draft Human Health/Ecological Risk Assessment Report | 200 days after Work Plan approval | TBD |
| Status Meetings | -- | As needed |

Permit Appeal – Extension of Stay

As you know, on July 19, 2007 we submitted an appeal of the post-closure permit, requesting that the appeal be held in abeyance while we work with DTSC to evaluate the declassification and clean closure options. On August 20, 2007 and again on October 10, 2007, Mr. Mohinder Sandhu wrote to CWM, first granting CWM's request for a stay of the appeal proceedings and then, in order to avoid unnecessarily processing the appeal while we continue to work with DTSC on permit options, extending the stay until December 18, 2007.

As discussed above, DTSC and CWM agree that waste characterization is the critical path for evaluating and selecting between the permit options. Because of the time required to collect and analyze the required data, we request that the stay be continued until June 30, 2008. This will continue to allow CWM and DTSC to work through the permit options without processing an appeal that, we hope, will become moot. We

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propose continuing to have regular meetings with DTSC to evaluate and discuss our progress.

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For the reasons discussed above, CWM requests DTSC's concurrence on the schedule outlined above and for an extension of the stay on the permit appeal proceeding to June 30, 2008.

Thank you for your attention to this matter. Please call at your earliest convenience if you have any questions or would like to discuss our request.

Sincerely,

Chemical Waste Management, Inc.

//original signed by//

Philip C. Perley
Closed Sites Project Manager

cc: James M. Pappas, DTSC
Watson Gin, DTSC
Mohinder Sandhu, DTSC
Ann Carberry, DTSC
Steve Richtel, CWM